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In re Application of KAPLAN et al :
U.S. Application No.: 10/584,968 :
PCT Application No.: PCT/US2005/036987 :
Int. Filing Date: 13 October 2005 : COMMUNICATION
Priority Date Claimed: 13 October 2004 :
Attorney Docket No.: ANVIL.001BNP1 :
For: STEPPED BALLOON CATHETER FOR :
TREATING VASCULAR BIFURCATIONS :

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 13 October 2005, applicant filed international application PCT/US2005/036987, which claimed priority of an earlier United States application filed 13 October 2004. The thirty-month period for paying the basic national fee in the United States would have expired on 13 April 2007.

On 30 June 2006, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission listed the attorney docket number as "ANVIL.001BNP1" and was assigned U.S. Application Number 10/584,968.

On 30 June 2006, applicant also filed three additional sets of purported national stage papers with the DO/EO/US. The submissions listed the following attorney docket numbers and were assigned the following respective U.S. Application Numbers:

<u>Attorney Docket Number</u>	<u>U.S. Application Number</u>
"ANVIL.001BNP2"	10/584,969
"ANVIL.001BNP3"	10/584,963
"ANVIL.001BNP4"	10/585,221

DISCUSSION

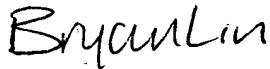
The end result for an international application designating the United States is a single U.S. national stage application. Therefore, the existence of plural U.S. national stage applications for a single international application is improper.

CONCLUSION

A proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a). A proper response would include an explanation regarding why four national stage applications were filed based on the same international application. Failure to timely file a proper response will result in the serializations of U.S. Application Numbers 10/584,969, 10/584,963, and 10/585,221 being vacated.

It is emphasized that the papers associated with U.S. Application Numbers 10/584,969, 10/584,963, and 10/585,221 will not be accepted as national stage applications under 35 U.S.C. 371. If applicant desires processing of these papers under 35 U.S.C. 111(a), a petition under 35 U.S.C. 182 along with the requisite \$400.00 petition fee for each application is required.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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